

UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF CALIFORNIA

BENERITO FELIPE GABALDON,

Petitioner,

v.

J. PICKETT, Warden,

Respondent.


No. 2:20-cv-2489-EFB P

ORDER

Petitioner is a state prisoner without counsel seeking a petition for writ of habeas corpus pursuant to 28 U.S.C. § 2254. *See* ECF No. 8. Petitioner is incarcerated at High Desert State Prison in Lassen County, which lies in this district. However, his petition challenges a 2009 conviction for first degree robbery imposed by the Riverside County Superior Court, which lies in the United States District Court for the Central District of California. While both this court and the United States District Court in the district where petitioner was convicted have jurisdiction, *see Braden v. 30th Judicial Circuit Court*, 410 U.S. 484 (1973), any and all witnesses and evidence necessary for the resolution of petitioner's application are more readily available in the county of conviction. *Id.* at 499 n.15; 28 U.S.C. § 2241(d).

Accordingly, in the furtherance of justice, IT IS ORDERED that this matter is transferred to the Eastern Division of the United States District Court for the Central District of California.

Dated: February 1, 2021.


EDMUND F. BRENNAN
UNITED STATES MAGISTRATE JUDGE